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MAY 14 2025

CLERK, U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

9 UNITED STATES DISTRICT COURT
10 FOR THE DISTRICT OF MINNESOTA
11

12 Steve Salvador Ybarra
13 Self-Represented
14 Pro Se Litigant,

No. . 0:25-cv-01948-KMM-DJF

15
16 Plaintiff,

**NOTICE OF EVIDENTIARY CONFLICT
COMPROMISING GUARDIAN AD LITEM
NEUTRALITY**

17 v.

18 Legal Assistance of Dakota County;
19 Sharon Jones Esq., in her Individual and
20 Official capacities;
21 Hon. David Lutz, in his individual and
22 Official capacities;
23 Hon. Tanya Obrien, in her individual and
24 official capacities;
25 Hon. Danna L Edwards, in her individual
26 and official capacities;
27 Lydia Clemens, in her individual and
28 official capacities;
Michelle Cathleen Ybarra,

Defendants.

TO THE COURT AND ALL PARTIES:

Plaintiff Steve Salvador Ybarra submits this notice pursuant to Fed. R. Civ. P. 65(a) and Local Rule 7.1 to memorialize a material evidentiary conflict that directly compromises the claimed

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U.S. DISTRICT COURT MPLS

1 neutrality and procedural integrity of Guardian ad Litem Lydia Clemens. This conflict is both
2 ethically disqualifying and legally relevant to Plaintiff's pending Motion for Preliminary
3 Injunction and associated requests for declaratory and injunctive relief.

4
5 **I. DIGITAL COORDINATION BETWEEN GAL CLEMENS AND DEFENDANT**
6 **SHARON JONES**

7 Attached hereto as Exhibit A is an email dated February 26, 2025, sent by Defendant Lydia
8 Clemens from her official state address (lydia.clemens@courts.state.mn.us), which concludes
9 with the digital signature block of Defendant Sharon Jones, Executive Director of Legal
10 Assistance of Dakota County (LADC). The presence of Jones' signature block in a Guardian ad
11 Litem email is not a clerical artifact; it is documentary evidence of shared authorship platforms,
12 forwarding, or direct drafting between the GAL and a named defendant litigant in this action.

13
14 This violates the neutrality mandates of the Minnesota Guardian ad Litem Program Standards of
15 Practice and creates an actual conflict of interest under Canon 2.11 of the Minnesota Code of
16 Judicial Conduct. See *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009) (recusal
17 constitutionally required when a litigant's influence creates "a serious risk of actual bias").

18
19 **II. WILLFUL NONDISCLOSURE AND INSTITUTIONAL KNOWLEDGE**

20 Plaintiff raised the GAL's coordination with opposing counsel in multiple written motions
21 submitted between March and April 2025 in Dakota County Family Court. These motions were
22 ignored by Judge David Lutz, despite the fact that his judicial clerk, Mr. Raymond Mestad, was
23 carbon-copied or made aware of this misconduct. Judge Lutz subsequently reappointed GAL
24 Clemens in a sealed order issued after the filing of Plaintiff's federal complaint, despite having
25 direct access to Plaintiff's documentation of GAL-LADC coordination and sealed procedural
26 abuse.

27 This constitutes judicial entrenchment and violates the procedural due process standards of
28 *Goldberg v. Kelly*, 397 U.S. 254 (1970), and *Mathews v. Eldridge*, 424 U.S. 319 (1976). See also

1 Liljeberg v. Health Servs. Acquisition Corp., 486 U.S. 847 (1988) (relief warranted where judge
2 failed to disclose conflict).

3 4 **III. FEDERAL IMPLICATIONS AND REQUEST FOR JUDICIAL NOTICE**

5 The digital coordination between GAL Clemens and Defendant Jones materially undermines the
6 evidentiary foundation of the GAL's report, the legitimacy of her court communications, and her
7 appointment as a neutral party. When a Guardian ad Litem adopts, reuses, or co-authors litigation
8 communications with a private party accused of ghostwriting sealed affidavits and engaging in
9 discovery suppression, her neutrality is destroyed.

10
11 This constitutes state-sponsored litigation fraud under Hazel-Atlas Glass Co. v. Hartford-Empire
12 Co., 322 U.S. 238 (1944), and active collusion under Dennis v. Sparks, 449 U.S. 24 (1980).
13 Furthermore, the AG's continued defense of this relationship constitutes institutional
14 entrenchment and civil rights obstruction under 42 U.S.C. §§ 1983, 1985(3), and 18 U.S.C. §
15 1962(d).

16 17 **IV. PRAYER FOR RELIEF**

18 Plaintiff respectfully requests that this Court:

- 19 1. Take judicial notice of the attached Exhibit A as evidence of compromised GAL
20 neutrality;
- 21 2. Consider this conflict in ruling on Plaintiff's pending Motion for Preliminary
22 Injunction;
- 23 3. Refer the matter for evidentiary hearing or investigative review, as appropriate;
- 24 4. Strike any reliance on GAL testimony or reports pending further review.

25
26
27 Respectfully submitted,

28 /s/ Steve Salvador Ybarra

1 Steve Salvador Ybarra

2 Pro Se Litigant

3 California | Minnesota

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5 Phone: (612) 544-4380

6
7 **CERTIFICATE OF SERVICE**

8 I hereby certify that on **May 13, 2025**, I served a true and correct copy of the attached:
9 **NOTICE OF EVIDENTIARY CONFLICT COMPROMISING GUARDIAN AD
LITEM NEUTRALITY**

10
11 upon the following parties by email and/or U.S. Mail:

12 • **Legal Assistance of Dakota County**

13 Email: admin@dakotalegal.org

14 • **Sharon Jones, Esq.**, in her individual and official capacities

15 Legal Assistance of Dakota County

16 Email: sjones@dakotalegal.org

17 • **Hon. David Lutz**, in his individual and official capacities

18 Dakota County District Court

19 1560 Highway 55, Hastings, MN 55033

20 Email: Raymond.mestad@courts.state.mn.us

21 • **Hon. Tanya O'Brien**, in her individual and official capacities

22 Dakota County District Court

23 1560 Highway 55, Hastings, MN 55033

24 Email:

25 • **Hon. Dannia L. Edwards**, in her individual and official capacities

26 Dakota County District Court

27 1560 Highway 55, Hastings, MN 55033

Email:

- **Lydia Clemens**, Guardian ad Litem, in her individual and official capacities

First Judicial District GAL Program

Email: Lydia.clemens@courts.state.mn.us

- **Michelle Cathleen Ybarra**, Respondent

Email: shellbell@hotmail.com

This notice was served to all named parties via email where available and U.S. Mail where necessary, consistent with Fed. R. Civ. P. 5(b) and Local Rule 7.1.

Respectfully submitted,

/s/ **Steve Salvador Ybarra**

Pro Se Litigant

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Executed May 12, 2025